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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,687	11/01/2000	James D. Gee JR.	194394US8	9890

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WASHINGTON, DC 20005

EXAMINER

USTARIS, JOSEPH G

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 12/02/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/702,687

Applicant(s)

GEE, JAMES D.

Examiner

Joseph G Ustaris

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,12,15,16,25,27 and 28 is/are rejected.
- 7) ☒ Claim(s) 2,3,6-11,13,14,17-24 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Page 11 line 15 element "523". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The abstract is objected to because of the following informalities:
- The abstract exceeds the maximum word length of 150 words. Please revise the abstract's contents in order to meet the proper format of an abstract.

Appropriate correction is required.

The disclosure is objected to because of the following informalities:

- Page 7 line 1, element "17" should be labeled as 23 in order to match the drawings.
- Page 7 line 7, element "21" should be labeled as 31 in order to match the drawings.
- Page 7 line 15, element "1" should be labeled as 5 in order to match the drawings.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 24 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 24 recites the limitation "said interface signals" in line 1. There is insufficient antecedent basis for this limitation in the claim. The office will assume that claim 24 is dependent off claim 20, where the claimed "interface signals" is first introduced.

Claim 27 recites the limitation "said input/output portion" in line 1. There is insufficient antecedent basis for this limitation in the claim. The office will assume that claim 27 is dependent off claim 25, where the claimed "input/output portion" is first introduced.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 4, 5, 12, 15, 16, 25, 27, and 28 are rejected under 35 U.S.C. 102(a) as being anticipated by Proposed HOST-POD Interface Specification.

Regarding claim 1, the Proposed HOST-POD Interface Specification discloses a method for interfacing POD modules with a host or "multichannel video receiver" (See page 7 section 3.1). The POD modules would be able to function as conditional access modules once properly interfaced (See page 34 section 7.6). The host would read the POD module's card information structure (CIS) to identify the POD or "determining a POD type" and to determine what voltage the host should apply or "determining interface parameters" in order for the POD to operate correctly. Once the appropriate voltage level is determined, the host would provide that voltage level to the POD modules or "adapting said multichannel video receiver to provide said interface parameters" (See page 15 section 5.1.2 and page 17 section 5.2).

Regarding claim 4, the host automatically reads the POD module's CIS upon power up or after reset to determine the interface ID number or "POD type" (See page 17 section 5.2).

Regarding claim 5, the CIS of the POD modules provides the host the interface ID number, CISTPL\_VER\_1, and TPLL\_V1\_INFO or "type messages" (See page 17 section 5.2).

Claim 12 contains the limitations of claim 1 (wherein the method is executed by a host or "multichannel video receiver" and the host inherently has a memory used to "adapt" the host to the POD modules) and is analyzed as previously discussed with respect to that claim.

Claim 15 contains the limitations of claims 4 and 12 and is analyzed as previously discussed with respect to those claims.

Claim 16 contains the limitations of claims 5 and 12 and is analyzed as previously discussed with respect to those claims.

Regarding claim 25, the host and POD modules interface with each other by pin contacts that allows the POD modules and host to communicate with each other or "provide electrical contact with an input/output portion" and for the host to provide the proper voltage level or "adaptability input/output portion" (See pages 15-17 section 5.1.3).

Regarding claim 27, the Proposed HOST-POD Interface Specification suggests the use of smart card readers to be used with the interfacing of the host and POD modules (See page 34 section 7.6).

Claim 28 contains the limitations of claims 1 and 12 and is analyzed as previously discussed with respect to those claims.

***Allowable Subject Matter***

5. Claims 2, 3, 6-11, 13, 14, 17-24, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 2 and 13, the prior art of record fails to show or fairly suggest a method or system where the user inputs the POD type to the host.

Regarding claims 3 and 14, the prior art of record fails to show or fairly suggest a method or system where the user inputs the POD type to the host via wireless signal from a remote controller and displaying an on-screen message.

Regarding claims 6-8 and 17-19, the prior art of record fails to show or fairly suggest a memory file containing a list of POD types.

Regarding claims 9 and 20, the prior art of record fails to show or fairly suggest a method or system for determining pin positions of different interface signals required by the "POD type".

Regarding claims 10, 11, 21, and 24, the prior art of record fails to show or fairly suggest a programmable switching unit used to route the appropriate signals to the POD module.

Regarding claim 22, the prior art of record fails to show or fairly suggest an array of mechanical relays used to route signals to the POD module.

Regarding claim 23, the prior art of record fails to show or fairly suggest an array of electrical switches used to route signals to the POD module.

Regarding claim 26, the prior art of record fails to show or fairly suggest a cable connector configured to connect the host to the POD module.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Ustaris whose telephone number is (703) 305-

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0377. The examiner can normally be reached on Monday-Friday with alternate Fridays off from 7:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 872-9306.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (703) 305-4700.

JGU  
November 21, 2003

  
ANDREW FAILE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600